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CENTRAL FAX CENTER

REMARKS

JUL 19 2006

Claims 1 – 12 are pending in the application.

Applicant's independent claims describe that the backup control request includes a code and a number of said portable telephone set that are entered by a person having the number and code of said portable telephone set.

In an example embodiment, if a portable telephone set is lost, a person having the code and number may initiate the backup control request from another telephone in order to initiate the action. In this embodiment the backup control request is not initiated by or from the portable telephone set.

REJECTIONS UNDER 35 U.S.C. 103

Claims 1-3, 5-6 and 10 are rejected under 35 U.S.C. 103 as being unpatentable over Alanara in view of Bufferd et al.(hereinafter Bufferd) and Isomursu et al.(hereinafter Isomursu) and further in view of Lee or Krolopp et al. or Smith..

It is admitted in the Office Action that Bufferd fails to describe a unit dialing up using the parameters such as a code, name or password and a number of a portable telephone set. This is set forth on page 3 of the Office Action.

It is argued in the Office Action that Isomursu shows such features in column 7, lines 39-51 for the purpose of downloading the contents from the backup storage facility to a mobile terminal (a new phone).

In column 7, lines 39-51 Isomursu describe a "Short Dial" application which can be backed up to a service center for storage. Isomursu describes the user can activate a new phone and download the stored contents from the service center to the new phone.

However nowhere was it described in Isomursu that a backup control request, includes a code and a number of said portable telephone set that are entered by an authorized person having the code and the number.

Isomursu does suggest the user can download the data to a new terminal or save the data to the back-up facilities, but there is no description of entering a code and a number of the portable telephone set. It is respectfully submitted Isomursu fails to teach the features it is being cited as teaching.

Therefore in contrast to the claimed invention Isomursu does not suggest anywhere that a phone dials the backup facility and a code and a number of the portable telephone set is entered and sent to the backup storage facilities.

Even if for argument sake Isomursu described such a feature, Isomursu is different from the claimed invention because in Isomursu the new telephone itself is dialing the backup storage facilities and, in contrast to applicant's claimed invention where the information is being uploaded from the portable telephone set to the backup memory at the service center, in Isomursu, as admitted in the office Action, there is downloading the application contents from the backup storage facility to the terminal. This is described in paragraph 5, on page 3, of the Office Action where it is stated "for a purpose of downloading of stored short dial application contents", and also on page 5, third paragraph. This corresponds to the section of Isomursu et al. where in lines 46-50, the reference describes "also download (retrieve) all short dial application contents to the terminal." Applicant claims a backup control request, including a code and a number of said portable telephone set that are entered by an authorized person having the code and the number of said portable telephone set, performs control to save said portable telephone

set's memory dial data, mail address data, and other input-set data in said backup memory and erase said data stored in said portable telephone set's memory.

Thus the combination of references fails to teach the claimed invention and further the combination of references does not render applicant's claimed invention obvious.

Claim 4 is rejected under 35 U.S.C. 103 as being unpatentable over Alanara in view of Bufferd and Isomursu and further in view of Lee or Krolopp or Smith and further in view of U.S. Patent 5,915,225 (Mills).

Claims 7 and 8 are rejected under 35 U.S.C. 103 as being unpatentable over Alanara in view of Bufferd and Isomursu. Claim 9 is rejected under 35 U.S.C. 103 as being unpatentable over Alanara in view of Bufferd and Isomursu and further in view of U.S. Patent 6,157,708 (Gordon). Alternatively, claim 9 is rejected under 35 U.S.C. 103 as being unpatentable over Bufferd and Isomursu in view of Gordon.

With respect to claim 4 which depends from independent claim 3, it is respectfully submitted that Mills is relied upon only for the proposition of "remotely retrieving SIM stored data over a communication link wherein the request can be made to the telephone even in a busy state" according to the Office Action. Even if, for the sake of argument, it is assumed that Mills does teach that feature, Mills still does not disclose any other element of Applicant's invention as recited in claim 3. Thus, this patent fails to supplement Alanara, Bufferd, Isomursu and Lee or Krolopp or Smith to cure their deficiencies.

Independent claims 7 and 8 have been amended to include the above feature of the present claimed invention, as discussed with reference to claim 1. Hence, Applicant essentially repeats the above arguments with respect to amended independent claims 7 and 8 to submit that those claims are not rendered obvious by the combination of Alanara, Isomursu and Bufferd.

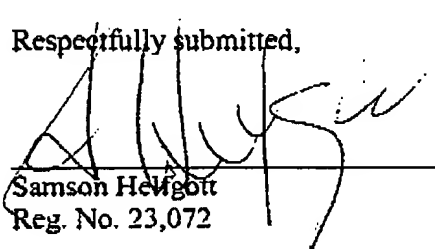
With respect to independent claim 9, it is respectfully submitted that Gordon is relied upon only for the proposition of "a telephone device which can respond to an incoming call and de-activate a ringing circuit" according to the Office Action. Even if, for the sake of argument, it is assumed that Gordon does teach that feature, Gordon still does not disclose any other element of Applicant's claimed invention as recited in claim 9. Thus, this patent fails to supplement Alanara, Isomursu and Bufferd, separately or in combination, to cure their deficiencies.

In light of the above, Applicant submits that Alanara, Bufferd, Lee, Krolopp, Smith, Isomursu and Gordon, whether separately or in combination, fail to render obvious the present invention as recited in claims 1 - 12. Favorable reconsideration of this case and early issuance of the Notice of Allowance are earnestly solicited.

An earnest effort has been made to be fully responsive to the Examiner's communication. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Passage of this application to allowance is earnestly solicited. If for any reason this application is not considered to be in condition for allowance, the Examiner is invited to telephone the undersigned attorney at the number listed below.

We respectfully request that all fees relating to this application be charged to Deposit Acct. No. 50-1290.

Respectfully submitted,



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